

REMARKS/ARGUMENTS

I. Status of Claims

Prior to this Response, claims 1-10 were pending with claims 1 and 6 being independent.

By this Amendment, claims 1 and 6 have been amended to better clarify the subject matter recited therein.

II. Drawings

In the Office Action, the Examiner does not confirm the acceptance of the drawings previously filed on November 25, 2003.

Accordingly, the Examiner is kindly requested to confirm the acceptance of the previously filed drawings.

III. Rejections under 35 U.S.C. §103 (a)

Claims 1 and 6

Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn (KR 2002058347—hereinafter Ahn) in view of Lee (KR 2001019998—hereinafter Lee), further in view of Pyo (KR 2002011547—hereinafter Pyo) and Marjamaki et al. (U.S. Publication No. 2003/0139141 A1—hereinafter Marjamaki). Applicant respectfully traverses the rejection.

Claim 1 recites a method for updating identifier (ID) information of a Node-B, and resetting a UMTS radio manager (URM) system using the updated ID information of the Node-B in the URM system which manages the Node-B and a predetermined number of radio network controllers (RNCs) each associated with a source RNC, said method comprising:

“a) using the URM system to create a processor loading data (PLD) of the Node-B that can be changed, and transmitting the created PLD in a form of an extension specification file (ESF) to **the Node-B and the RNCs** each of which is associated with the source RNC requiring the created PLD, the created PLD being created by correcting data that is different from a previously-stored PLD;

b) operating **the Node-B and the RNCs** having received the created PLD in the form of ESF to update a previously stored old PLD according to the received PLD in the form of ESF; and

c) resetting the Node-B and the RNCs upon receipt of the updated PLD;

wherein the ESF stores data to be updated in relation to received hardware format information and data associated with the data that is different between the old PLD and the updated PLD.”
(emphasis added).

In the first place, as reasoned in Applicant’s previous Amendment filed November 9, 2007 (hereinafter “the Previous Amendment”), which is hereby incorporated in its entirety, Ahn’s disclosure is only for additionally installing a new base station. Thus, Ahn only discloses that the PLD manufactured by the BSM is **transmitted to only the BSC** controlling the new base station (see abstract of Ahn), as opposed to being transmitted to **the Node-B and the RNCs each of which is associated with the source RNC**.

Accordingly, even without regard to whether the PLD disclosed in Ahn is the same as the created PLD recited in claim 1, which the Examiner has correctly conceded that it is not (see pages 2-3 of the Office Action), Ahn still does not disclose, teach, or suggest transmitting the created PLD in a form of an extension specification file (ESF) to the Node-B and the RNCs each of which is associated with the source RNC requiring the created PLD, as recited in claim 1.

This deficiency of Ahn, however, is NOT addressed in the Office Action. Rather, the Examiner maintains that Ahn teaches transmitting the PLD manufactured by the BSM to **the Node-B and the RNCs each of which is associated with the**

source RNC (see page 2 of the Office Action), which, as discussed above, is clearly erroneous. Because none of the secondary references (namely, Lee, Pyo and Marjamaki¹) is cited for curing this deficiency, and in fact, none of the secondary references cures this deficiency, Applicant respectfully submits that the feature of transmitting the created PLD in a form of an extension specification file (ESF) to the Node-B and the RNCs each of which is associated with the source RNC requiring the created PLD, as recited in claim 1, should be allowable over Ahn and all the cited secondary references.

Similarly, the feature of operating the Node-B and the RNCs having received the created PLD in the form of ESF to update a previously stored old PLD according to the received PLD in the form of ESF, as recited in claim 1, should also be allowable over Ahn and all the cited secondary references.

Further, as reasoned in the Previous Amendment, neither Ahn nor Lee teaches an ESF (which is the form in which the created PLD recited in claim 1 is created) as “wherein the ESF stores data to be updated in relation to received hardware format information and data associated with the data that is different between the old PLD and the updated PLD”, as recited in claim 1.

The Examiner, nonetheless, introduces the secondary reference Pyo, as curing this deficiency of Ahn and Lee associated with the created PLD recited in claim 1. However, based on the provided machine-translated version of Pyo, Pyo does not appear to teach an ESF “wherein the ESF stores data to be updated in relation to received hardware format information and data associated with the data that is different between the old PLD and the updated PLD”, as recited in claim 1.

The Examiner cites paragraphs 2 and 5-10 under the section “The Purpose of Invention” on page 2 of the provided machine-translated version of Pyo as the

¹ Marjamaki is only cited for disclosing resetting the Node-B after the update, rather than cited for transmitting the created PLD to Node-B and the RNCs each of which is associated with the source

teaching the ESF recited in claim 1. Applicant has carefully reviewed the cited paragraphs. However, the cited paragraphs, at best, teach an ESF made up of data that is different from a previously stored PLD. Nowhere do the cited paragraphs specifically teach an ESF storing data to be updated in relation to received hardware format information and data associated with the data that is different between the old PLD and the updated PLD. Hence, the Examiner's assertion that Pyo teaches the specific ESF recited in claim 1 is, at best, a good "guess", or in other words, a speculation made from a machine-translated document. Such a speculation, however, does not discharge the Examiner's statutory burden of presenting a *prima facie* case that Pyo discloses, teaches, or suggests the ESF recited in claim 1.

In addition, to better clarify the subject matter associated with the created PLD recited in claim 1, claim 1 has been amended to additionally recite the feature of "the created PLD being created by correcting data that is different from a previously-stored PLD", a feature which cannot be derived from an ESF file made up of data that is different from a previously stored PLD, as seemingly taught in Pyo. Accordingly, this added subject matter, along with the ESF features recited in claim 1, should readily distinguish the created PLD recited in claim 1 from the PLD disclosed in Pyo.

In summary, neither Ahn nor any of the secondary references discloses, teaches, or suggests transmitting the created PLD in a form of an extension specification file (ESF) to the Node-B and the RNCs each of which is associated with the source RNC requiring the created PLD and transmitting the created PLD in a form of an extension specification file (ESF) to the Node-B and the RNCs each of which is associated with the source RNC requiring the created PLD, both of which are recited in claim 1. In addition, Pyo does not cure the deficiency of Ahn associated with wherein the ESF stores data to be updated in relation to received hardware format information and data associated with the data that is different between the old PLD and the updated PLD and the created PLD being created by correcting data that is different from a previously-stored PLD, both of which are recited in claim 1.

RNC.

Accordingly, claim 1 should be allowable over Ahn, Lee, Pyo and Marjamaki, and the rejection of claim 1 should be withdrawn.

Claim 6 contains similar recitations to claim 1, and thus for at least the same reasons stated in connection with claim 1, claim 6 is also believed to be allowable over Ahn, Lee, Pyo and Marjamaki. The rejection of claim 6 should be withdrawn.

Claims 2-5 and 7-10

Claims 2, 3, 4, 7, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn in view of Lee, Marjamaki and Pyo as applied to claim 1, and further in view of Wallentin (U.S. Publication No. 2006/0234706 A1—hereinafter Wallentin). Further, Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn in view of Lee, Marjamaki, Pyo and Wallentin as applied to claims 2, 3, 4, 7, 8 and 9, and in further view of Kim (KR 2001045784—hereinafter Kim). Applicant respectfully traverses the rejections.

Claims 2-5 and 7-10 depend from independent claims 1 and 6 respectively, and thus inherit all the limitations from their respective independent claims. Secondary references Wallentin and Kim are merely cited for disclosing secondary features. However, neither Wallentin nor Kim cures the deficiencies of Ahn, Lee, Pyo and Marjamaki discussed above in connection with claims 1 and 6. Accordingly, Applicant does not need to further discuss Wallentin and Kim in relation to the patentability of claims 2-5 and 7-10, and claims 2-5 and 7-10 should be allowable over Ahn, Lee, Pyo, Marjamaki, Wallentin and Kim. The rejections of claims 2-5 and 7-10 should therefore be withdrawn.

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IV. Conclusion

In view of the above, it is believed that this application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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